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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,723	05/02/2000	JAMES C. BEDINGFIELD SR.	36968/171862	3234

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EXAMINER	
AGDEPPA, HECTOR A	
ART UNIT	**PAPER NUMBER**
2642	

DATE MAILED: 08/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/530,723	BEDINGFIELD SR. ET AL.	
	Examiner	Art Unit	
	Hector A. Agdeppa	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 July 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat 6,205,214 (Culli et al.) in view of US 5,917,899 (Moss et al.) and further in view of US 5,940,378 (Ushiki et al.)

As to claims 1, 2, 9 – 14, 18, and 20, Culli et al. teach a local routing system and method wherein a local service provider uses resold lines/services to provide local service to customers. (Col. 1, lines 36 – 44 and Col. 2, lines 23 – 30, Col. 3, lines 27 – 35, Col. 5, lines 25 – 55). Culli et al. also teaches that such a system is implemented on an advanced intelligent network (AIN) platform wherein standard call routing/completion

occurs as follows: A switch, read as the claimed "switch" or "first network element" or service switching point (SSP) 34 recognizes an AIN call trigger when a customer dials a number. This trigger is provisioned to cause SSP 34 to query service control point (ISCP/SCP) 26/30 read as the claimed "service control point" or "third network element." ISCP/SCP 26/30 receives the query and provides routing information and instructions to SSP 34 based on the resold line routing information, i.e., the local service provider's routing preferences, for connecting the call. The local service provider's routing preferences are defined/stored in local database of ISCP/SCP 26/30, which identifies a location/route for completing the call. (Col. 2, lines 53 – 60, Col. 6, lines 15 – 33, 50 – 57, Col. 7, lines 31 – 45, Col. 8, lines 18 – 20, Col. 9, line 53 – Col. 10, line 29, Col. 11, line 21 – Col. 13, line 33, Col. 16, lines 28 – 32, Figs, 1, 2, and 7.)

Also note that Culli et al. teaches that both originating and terminating triggers are used. The above discussion applies to originating triggers. As to terminating triggers, a terminating SSP such as SSP 34 will suspend a call according to a billing trigger or when the call must be diverted to a telephone number other than the one called. (Col. 20, lines 17 – 63 and Col. 24, lines 35 – 41)

Finally, note that Culli et al. teaches that customized routing is implemented for the above-discussed resold lines. Therefore it is inherent that the switch or SSP determines whether or not the call is resold, because there would be no way to offer customized routing unless it is first known that the call is from a resold line. Moreover, Culli et al. already teaches that the attributes of routing calls on / from resold lines is different from unbundled or standard lines and that certain actions such as altering line

class codes and /or block translations must be executed for resold lines. Again, unless it is first determined that a call is from a resold line, none of these actions would be performed. (Col. 7, lines 37 – 47)

What Culli et al. does not teach is the use of a hub or second switch/SSP through which other switch(es)/SSP(s) may query an SCP.

However, Moss et al. teaches a method of connecting a plurality of AIN networks wherein a first SSPA 18 routes a call to an SSP hub 22, after which SSP hub 22 reacts to a trigger and sends a query to SCP 24. SCP 24 responds and replies to SSP hub 22 with appropriate instructions and information for routing the call. (Abstract, Fig. 1, Col. 2, lines 43 – 60 of Moss et al.)

It would have been obvious for one of ordinary skill in the art at the time the invention was made to have incorporated an SSP hub in the invention of Culli et al. inasmuch as Moss et al. merely teaches a method of operating a system with a plurality of networks. Culli et al. already teaches the ability to handle local routing preferences in a single telephone network. Moss et al. would merely provide a way of seamlessly integrating a plurality of networks, a single instance of which is taught by Culli et al. The operation of Culli et al. would not be altered except that a hub would be "inserted" between any single SSP, such as SSP 34, and ISCP/SCP 26/30. SSP 34 of Culli et al. would be analogous to SSPA 18 of Moss et al. ISCP/SCP26/30 of Culli et al. would be analogous to SCP 24 of Moss et al. The operation of any AIN system is always the same, i.e., that an SSP acting on a trigger queries and SCP which responds with appropriate call routing instructions. Here, as discussed above, Moss et al. merely

inserts a hub or mediating SSP through which all other SSPs can access the SCP, thereby centralizing the system.

Again, as noted above, if a call from a resold line requires custom routing, then as discussed already, in an AIN environment, a trigger would be enabled on an SSP so a query could be made to the SCP to determine the custom routing.

Culli et al. nor Moss et al. also do not teach determining whether a call is from a resold line without querying an SCP.

However, Ushiki et al. teaches that it is old and well known for systems to exist wherein both AIN and non-AIN calls can be processed, and such a determination is made at the SSP. Moreover, if the call to be processed is not an AIN call, the associated SCP is not queried, while the call is wholly processed by the SSP. (Col. 1, lines 24 – 47 of Ushiki et al.) Other examples include local number portability situations wherein if a portable number is repeatedly called, that information is stored at the SSP so that the SCP can be bypassed during call processing.

Also, it is notoriously old and well known in the AIN telephony arts that functionality can be shifted to moved from certain AIN elements to other AIN elements. In other words, certain functionality or operations traditionally done in an SCP can be done in an SSP.

In any instance, it would have been obvious for one of ordinary skill in the art at the time the invention was made to have allowed for an SSP to determine whether or not a call was from a resold line without querying an SCP. The determination of Ushiki et al., i.e., whether a call is an AIN or non-AIN call can be likened to determining

whether or not a call is from a resold line or not. Also, as already noted, it is old and well known to shift functionality between AIN elements. A common motivation for the above is that constantly querying an SCP when it is not actually required wastes system resources and delays processing of calls unnecessarily.

As to claims 3, 4, 17, and 19, see Col. 2, lines 31 – 42, Col. 7, lines 37 – 46, Col. 18, lines 63 – 65 wherein Culli et al. teach line class codes and tables for class of service identification and routing.

As to claim 5, see Col. 6, lines 12 – 22, Col. 9, line 53 – Col. 10, line13, Col. 18, lines 61 – 65, Col. 19, lines 8 – 10, wherein Culli et al. teach the SSP gathering calling and called number for use in querying the SCP.

As to claim 6, see Col. 7, lines 1 – 6 wherein Culli et al. teach utilizing off hook delay triggers.

As to claims 7, 8, 15, 16, see Table 1 (Col. 10, lines 5 – 13), Col. 5, lines 16 – 28, Col. 7, lines 37 – 46, Col. 18, line 48 – Col. 19, line 20, Col. 23, line 50 – Col. 24, line 64 wherein Culli et al. teach routing calls to other carriers, other routing schemes depending on routing preferences and inherently an identifier for a competitive carrier would have to be used if routing was to be accomplished using a competitive carrier.

Response to Arguments

2. Applicant's arguments with respect to claim 1 - 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 5,764,745 (Chan et al.) teaches an apparatus and method for local number portability using nongeographic numbers wherein certain instances, an SSP does not have to query an SCP. US 6,445,782 (Elfe et al.) teaches it is old and well known to move functionality from one AIN element to another.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 571-272-7480. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hector A. Agdeppa
Examiner
Art Unit 2642

H.A.A.
August 15, 2005

HECTOR A. AGDEPPA
PATENT EXAMINER